

REMARKS

Claims 1-3, 6-14, 16, 19, 21-28, 21-37 and 47 are pending in this application. By this Amendment, claims 15 and 38-46 are canceled and claims 1, 16, 19, 22, 23 and 25 are amended. No new matter is added.

Entry of this Amendment is proper under 37 CFR §1.116 since the Amendment (a) places the application in condition for allowance (for the reasons discussed herein), (b) does not raise any new issue requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution), (c) satisfies a requirement of form asserted in the previous Office Action, (d) does not present any additional claims without canceling a corresponding number of finally rejected claims, and (e) places the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised for the first time in the Final Rejection. Entry of the Amendment is thus respectfully requested.

I. Allowable Subject Matter

Applicants appreciate the indication that claims 9, 10, 15, 16, 19, 21-28, 31-37 and 47 Contain allowable subjection matter.

II. Claim Amendments

Claim 1 is amended to incorporate the allowable subject matter of canceled claim 15. Claims 16, 19, 22, 23 and 25 are amended to correct the dependency of these claims in view of canceled claim 15. These claim amendments do not introduce new matter.

III. Restriction Requirement

The Office Action states that claims 38-46 remain withdrawn from consideration as being drawn to a non-elected invention. By this Amendment, withdrawn claims 38-46 are canceled, thus rendering the Restriction Requirement moot. Reconsideration and withdrawal of the Restriction Requirement are respectfully requested.

IV. Section §102 Rejection

The Office Action rejects claims 1-3, 6-8 and 11 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,283,665 to Ogata (Ogata). By this Amendment, claim 1 is amended to incorporate the allowable subject matter of claim 15.

In particular, claim 1 is amended to recite "wherein the second image data is stored in a memory box specified by advance from among the memory boxes, and wherein the image transfer device transfers the second image data stored in the specified memory box to the calling side when the judgment device judges that the designation of memory box specified by the transfer command is ineffective." As acknowledged at page 12 of the Office Action, Ogata fails to teach this claimed feature. Accordingly, claim 1 is not anticipated by Ogata.

Claims 2, 3, 6-8 and 11 depend from claim 1 and include all of its features. Accordingly, these dependent claims are not anticipated by Ogata for at least the same reasons as claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

V. Section §103 Rejection

The Office Action rejects claims 12-14 under 35 U.S.C. §103(a) as being unpatentable over Ogata in view of U.S. Patent No. 5,727,050 to Mori et al. (Mori). Claim 1 and Ogata are discussed above. For the reasons discussed above, Ogata fails to teach or suggest every feature of claim 1.

The Office Action cites Mori for its disclosure of "a second data that is data indicating an operation manual." See page 10 of the Office Action. However, Mori fails to overcome the deficiencies of Ogata because, as acknowledged in the Office Action, Mori also fails to teach or suggest "wherein the second image data is stored in a memory box specified by advance from among the memory boxes, and wherein the image transfer device transfers the second image data stored in the specified memory box to the calling side when the judgment

device judges that the designation of memory box specified by the transfer command is ineffective," as claimed in claim 1. Accordingly, claim 1 is patentable over Ogata, alone or in view of Mori.

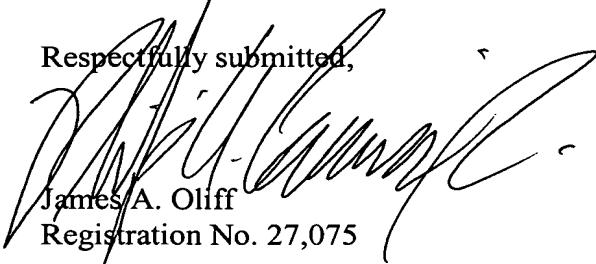
Claims 2-14 depend from claim 1 and include all of its features. Accordingly, these dependent claims are patentable over Ogata, alone or in view of Mori, for at least the same reasons as claim 1. Reconsideration and withdrawal of the rejection are respectfully requested.

VI. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3, 6-14, 16, 19, 21-28, 31-37 and 47 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,


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